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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

Applicant: Danishefsky, et al.
Serial No.: 09/641,742
Filed: August 18, 2000
For: *Novel Glycoconjugates, Glycoamino Acids, Intermediates Thereto, and Uses Thereof*

Examiner:
Art Unit: 1614

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants request consideration of this Supplemental Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

(Select A, B, C or D below)

- A. ☒ This Supplemental Information Disclosure Statement has been filed:
1. ☐ within three months of the filing date of the above identified U.S. Patent application other than a continued prosecution application under § 1.53(d);
 2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International application;
 3. ☒ before the mailing date of the first Office Action on the merits in the above-identified application; or
 4. ☐ before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

No fee or certification is required.

B. ☐ This Supplemental Information Disclosure Statement has been filed more than three months after the filing date of the present application and after the mailing date of the first Office Action, but before the mailing date of a final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application, and:

(check 1 or 2 below)

1. ☐ The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed, OR
2. ☐ The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that

(check a or b below)

- a. ☐ each item of information contained in this Supplemental Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of the Supplemental Information Disclosure Statement; or
- b. ☐ no item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Supplemental Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

C. ☐ This Supplemental Information Disclosure Statement has been filed after the mailing date of either a Final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and on or before payment of the Issue Fee.

1. The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that:
 - a. ☐ each item of information contained in this Supplemental Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three

months prior to the filing of the Supplemental Information Disclosure Statement; or

- b. ☐ no item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Supplemental Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement; AND

2. The Petition Fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.

- D. ☐ This Supplemental Information Disclosure Statement does not comply with any of the provisions set forth above, or is being submitted after the payment of the issue fee; however, Applicants respectfully request that the Statement be placed in the above-referenced file.

PART II - 37 CFR § 1.98 Content of Supplemental Information Disclosure Statement:

[X] A. Applicants hereby make of record in the above-identified application all patents, publications, applications or other information submitted for consideration by the Office listed on the attached form PTO-1449 (modified). The order of presentation of the patents, publications, applications or other information should not be construed as an indication of the importance. Applicants have provided a legible copy of:

each U.S. patent application publication;

each U.S. foreign patent;

each publication or that portion which caused it to be listed;

each pending U.S. application (including the application specification including the claims and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion); and

other information or that portion which caused it to be listed.

For each patent, publication, or other information listed that is not in the English language, the following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

Alternatively, if a written English-language translation of a non-English-language document, or portion thereof, if within the possession, or control of, or is readily available to any individual designated in § 1.56(c), a copy of the translation is provided herein as identified:

[] B. The Applicants hereby make the following additional information of record in the above-identified application:

PART IV: Remarks

A copy of each of the above-identified U.S. and foreign patent(s), publication(s), application(s) or other information submitted is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information been fully considered by the Patent and Trademark Office during the examination of this application; and
3. The citations for the patent(s), publication(s), application(s), or other information be printed on any patent which issues from this application.

By submitting this Supplemental Information Disclosure Statement, Applicants make no representation that a search has been performed, of the extent of any search performed, or that more material information may not exist.

By submitting this Supplemental Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Supplemental Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited materials. An early and favorable action is hereby requested.

Respectfully submitted,

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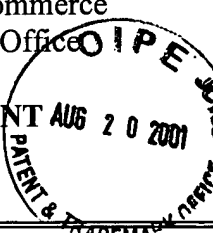
Date: *August 16, 2001*

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231

on *August 16, 2001*

Karen E. Leppo

Form PTO-1449 (REV. 8-83)		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket: 2003080-0054 (SK-893-US)		In re Application No. 09/641,742	
INFORMATION DISCLOSURE STATEMENT							
(Use several sheets if necessary)							
							
				Applicant: Danishefsky, et al.			
				Filing Date: 08/18/00		Group: 1614	
U. S. PATENT DOCUMENTS							
Examiner's Initials	U.S. Patent No.	Applicant	Issue Date				
			RECEIVED AUG 22 2001				
FOREIGN PATENT DOCUMENTS							
Examiner's Initials	Document No.	Country	Publication Date	Translation			
				Yes	No		
	WO 98/46246	PCT	22 October 1998				
	WO 98/30190	PCT	16 July 1998				
	WO 99/48515	PCT	30 September 1999				
OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)							
	Allen, et al., "A Second Generation Synthesis of the MBrl (Globo-H) Breast Tumor Antigen: New Application of the N-Pentenyl Glycoside Method for Achieving Complex Carbohydrate Protein Linkages", <i>Chem. Eur. J.</i> , 6(8): 1366-1375, 2000.						
	Bayle, et al., "O-(3-Butenyl) A Stable Blocking Group Removable by Ozonolysis", <i>Carbohydrate Research</i> , 232: 375-380, 1992.						
	Broddefalk, et al., "Preparation of a Glycopeptide Analogue of Type II Collagen - Use of Acid Labile Protective Groups for Carbohydrate Moieties in Solid Phase Synthesis of O-Linked Glycopeptides", <i>Tetrahedron Letters, NL, Elsevier Science</i> , 37(17): 3011-3014, 1996.						
	Cabaret, et al., "Amphiphilic Liposaccharides, Synthesis and Reductive Cleavage of C-Allyl, O-Allyl, and O-Butenyl Glycosyl Derivatives", <i>Carbohydrate Research</i> , 189: 341-348, 1989.						
	Lassaletta, et al., "Glycosyl Imidates. Synthesis of the Hexasaccharide Moiety of Globo H (Human Breast Cancer) Antigen", <i>Liebigs Ann.</i> (9): 1417-1423, 1996.						
	Park, et al., "Total Synthesis and Proof of Structure" of a Human Breast Tumor (Globo-H) Antigen", <i>J. Am. Chem. Soc.</i> , 118(46): 11488-11500, 1996.						
	Ragupathi, et al., "A Fully Synthetic Globo H Carbohydrate Vaccine Induces a Focused Humoral Response in Prostate Cancer Patients: A Proof of Principle", <i>Angew. Chem., Int. Ed.</i> , 38(4): 563-566, 1999.						
	Reid, et al., "N-Pentenyl Glycosides in Organic Chemistry: A Contemporary Example of Serendipity", <i>Synlett</i> , 927-942, 1992.						
	Udodong, et al., "A Ready, Convergent Synthesis of the Heptasaccharide GPI Membrane Anchor of Rat Brain Thy-1 Glycoprotein" <i>J. Am. Chem. Soc.</i> , 115: 7886-7887, 1993.						
	International Search Report issued for corresponding PCT application PCT/US00/22894.						
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							